

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
JAMES KENNEDY,

Plaintiff,

-against-

FOOT LOCKER, INC. and FOOT LOCKER
STORES, INC.

Defendants.
-----X

AGREED MOTION TO DISMISS
ALL CLAIMS WITH PREJUDICE

Case No.: 14-CV-2571
(SJ/MJB)

Plaintiff James Kennedy (“Kennedy”) and Defendants Foot Locker, Inc. and Foot Locker Stores, Inc. (“Foot Locker”) (collectively the “Parties”), through their respective undersigned attorneys, and pursuant to Fed R. Civ. P 41(a)(ii), respectfully request that this Court grant this Motion and dismiss all claims with prejudice, with both Parties agreeing to bear their own attorneys’ fees and costs. In support of this Motion the Parties state as follows:

1. Kennedy filed suit against Foot Locker in connection with his prior employment with Foot Locker Retail, Inc.
2. The Parties have agreed to dismiss all claims in this litigation with prejudice, including the claims in the Complaint.

WHEREFORE, Plaintiff James Kennedy and Defendants Foot Locker, Inc. and Foot Locker Stores, Inc., through their respective undersigned attorneys, and pursuant to Fed R. Civ. P 41(a)(ii), respectfully request that this Court enter an order:

1. Granting this Motion;
2. Dismissing all claims in the Complaint with prejudice, with both Parties to bear their own costs and fees; and
3. Terminating this case in its entirety.

Dated: July 17, 2014

/s/ David Harrison

David Harrison, Esq.
Harrison, Harrison & Associates, Ltd.
110 State Highway 35, 2nd Floor
Red Bank, NJ 07701

Counsel for Plaintiff

/s/ Katherine R. Sinatra

Katherine Sinatra, Esq.
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2555 Grand Blvd.
Kansas City, MO 64108

Counsel for Defendants

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PROPOSED ORDER OF DISMISSAL
OF ALL CLAIMS WITH PREJUDICE

Case No.: 14-CV-2571
(SJ/MJB)

IT APPEARING that the parties have resolved this matter amicably, it is hereby

ADJUDGED, ORDERED and DECREED that the Complaint filed in this matter is hereby
dismissed with prejudice, with each party to bear its own costs.

Entered this _____ day of _____, 2014.

Honorable Judge

WE ASK FOR THIS:

/s/ David Harrison
David Harrison, Esq.
Harrison, Harrison & Associates, Ltd.
110 State Highway 35, 2nd Floor
Red Bank, NJ 07701

Counsel for Plaintiff

WE ASK FOR THIS:

/s/ Katherine R. Sinatra
Katherine Sinatra, Esq.
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Counsel for Defendants